

AN ORDINANCE 99740

**ESTABLISHING AND AMENDING VARIOUS FEES
CHARGED FOR HISTORIC AND PLANNING SERVICES
THROUGH THE PLANNING DEPARTMENT, AND
AMENDING THE CORRESPONDING SECTIONS OF THE
CITY CODE TO REFLECT SUCH CHANGES.**

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WHEREAS, the city currently is not compensated or reimbursed for its costs associated with the publication of the public hearing, review of the application by staff, and preparation for Planning Commission and City for a Major Thoroughfare Plan amendment; and

WHEREAS, the current general fee for changes to a Neighborhood, Community or Perimeter Plan does not reflect nor compensate the city for its actual costs of staff resources and publication charges; and

WHEREAS, property owners of designated historic landmarks have expressed interest in acquiring a plaque to display on their house that would indicate official landmark status; and

WHEREAS, Upon receipt of information regarding construction beginning on historic properties without a Certificate of Appropriateness, staff investigates the case and researches whether the property has appropriate permits, conducts field investigations and field analysis (pictures of the property), confirms whether has begun and whether any permits are pending approval, reviews comments from inspectors, issues a stop work order and notices the property owner in writing that permits are required, and meets with the property owner to discuss the issues and explain the proper procedures for applying for a Certificate of Appropriateness; but currently does not recover any of its costs for these acts; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Sections 35-C111 and 35-C112 of the City Code are hereby enacted and named as follows:

35-C111 Master Plan Amendment Fees

A fee shall be paid for the processing of any amendment to the City's Master Plan. All fees must be paid at the time the amendment is submitted for review.

| (A) Amendment Action | (B) Fee Amount |
|--|--|
| Major Thoroughfare Plan | \$500.00 |
| Neighborhood, Community, or Perimeter Plan (based upon total acreage of subject area) | 0 – 0.5 acres - \$700.00 0.501 to 5.0 acres - \$1,430.00 5.01 to 10.0 acres - \$1,780.00 10.01 to 25 acres - \$2,140.00 25.01 acres or more - \$2,520.00 |
| Master Plan (all other components) | \$450.00 |

35-C112 Historic Preservation Fees

The following fees are established for any application for action by the city regarding historic preservation or other matters involving action by the Historic Preservation Officer and/or the Historic Design and Review Commission. Fees for applications for changes to zoning district boundaries or for any change of the zoning ordinance or classification shall be paid in accordance with all other zoning fees. All other fees listed herein must be paid at the time the application is submitted for review.

| (A) Application or Action | (B) Fee Amount |
|---|--------------------|
| Historic Plaque Application Fee | \$10.00 per plaque |
| Certificate of Appropriateness (post work commencement) | \$500.00 |
| Historic Design & Review Commission Application (commercial properties only) | \$100.00 |
| Historic Site Certification | \$40.00 |

SECTION 2. Sections 35-C102 and 35-C103 are amended to reflect the codification of fees into 35-C111 and 35-C112 as reflected in Section 1 above by adding the language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as follows:

35-C102 Zoning fees.

(a) Generally

When an application is filed for a change of zoning district boundaries or for any change of the zoning ordinance or classification, such application shall be accompanied by one-half of the filing fee specified in subsection (b) prior to consideration of the application by the zoning commission. A second fee in the

same amount (i.e., one-half of the filing fee specified in subsection (b), below) shall be required prior to consideration of an application by the city council. Additional fees shall be paid for applications requiring action by the historic and design review commission. In addition to the filing fees specified above or to the fees required by § 35-703 for nonconforming rights, an additional fee as specified in herein shall be required by the San Antonio Water System when an application is filed which requires preparation of a report by the Watershed Quality Planner of the San Antonio Water System.

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|---|---|
| Historical site certification fee | \$40.00 |
| Historic design review commission application fee | 0-5,000 square feet ... \$75.00 5,001 to 10,000 square feet ... \$100.00 10,001 to 20,000 sq. ft. ... \$150.00 20,001 to 50,000 sq. ft. ... \$300.00 50,000 + sq. ft. ... \$400.00 + \$5.00 per additional 1,000 square feet |

35-C103 Subdivision and platting fees.

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| Master Plan Amendment | \$450.00 |
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SECTION 3. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, or any appendix thereof, for any reason, be held illegal, inoperative, or invalid or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 4. No other provision of the City Code is amended hereby. All other provisions

SECTION 5. It is officially found, determined, and declared that the meeting at which this ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Texas Revised Civil Statutes Annotated as amended

SECTION 6. The publishers of the City Code are authorized to amend said Codes to reflect the changes adopted herein.

SECTION 7. This ordinance take effect October 1, 2004.

PASSED AND APPROVED this 16th day of September 2004.

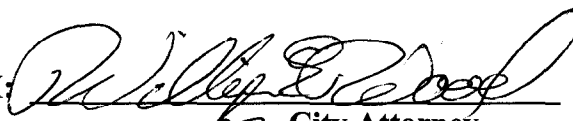


M A Y O R
EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney